

REMARKS

The present response requests reconsideration of the rejected claims.

The acknowledgement of the receipt for claim for the priority document is appreciated.

Claims 1-4, and 9-18 are rejected under 35 U.S.C. 103(a) for allegedly being unpatentable based on Yamaki. This rejection is respectfully traversed.

The coating composition of the claimed invention comprises more than 70% by weight solids, as disclosed in the specification, e.g., page 1.

Yamaki (US 5,902,851) relates to content coating compositions comprising a polyorganosiloxane (D) and an alkoxyfunctional acrylic polymer (B). Coating compositions with a solid content of more than 70 weight percent are not disclosed or suggested. Additionally, nowhere in this document is it disclosed or suggested how a high solids composition could be prepared.

It is stated in Yamaki that the alkoxyfunctional acrylic polymer (B) can be synthesised according to a known method. Column 9, lines 40-45. The methods of the prior art all lead to low solid content polymer solutions. Accordingly, in the Examples of US 5,902,851, alkoxyfunctional acrylic polymer solutions are prepared having a solid content of only 40%, see Preparation Examples B-1, B-2, and B-3.

From these solutions, coating compositions are prepared. As the solutions have a low solid content, the coating compositions prepared from these solutions will also have a low solid content. This is exemplified in Tables 1 to 4 where compositions are prepared mainly based on 36% solids components A and 40% solids components B.

It has now been found that it is possible to prepare coating compositions comprising a polysiloxane and an alkoxyfunctional polymer that have a solid content of more than 70 weight percent. For example, the present specification discloses that such a coating can be prepared by preparing the alkoxyfunctional acrylic polymer in the presence of a reactive diluent. Page 6, lines 4-7. Such a high solid content is advantageous so that the coating compositions according to the present invention comply with the current VOC requirements.

There is no suggestion or expressed expectation of success in Yamaki that would have led one to remove solvent from the coating composition. On the contrary, at column 13, lines 32-53, Yamaki clearly advises to even further dilute (i.e. to increase the solvent content) the prepared compositions "for easiness of handling". In the examples, the coating compositions are diluted such that each mixture has a solid content of only 20%, see column 21, lines 27-33.

Although this teaching in Yamaki is described as being "optional" in the present Office Action, it is still the only teaching of solids content in Yamaki. Yamaki simply does not teach or suggest a solids content or more than 70 weight percent or that the solids content should be increased. Hence, decreasing the solvent content (to end up at a higher solids level) is contrary to the teaching of Yamaki and would, therefore, not be considered by the skilled person.

Respectfully submitted,



Lainie E. Parker
Attorney for Applicants
Registration No.: 36,123

Akzo Nobel Inc.
Intellectual Property Dept.
7 Livingstone Avenue
Dobbs Ferry, NY 10522-3408
(914) 674-5466